

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA ex rel.  
CALVIN CHEN,

Plaintiff, : 05 Civ. 5313 (NRB)

v. :

**ORDER**

INTERTEX APPAREL, LTD.; WAL-MART  
STORES, INC.; J.C. PENNEY CO., INC.;  
FAMILY DOLLAR STORES, INC.; SAKS INC.;  
KOHL'S CORP.; and MARSHALLS, a division  
of TJX COMPANIES, INC.,

Defendants. :

X

The United States having notified the Court of its election to intervene and proceed with this action as against defendant Intertex Apparel, Ltd., pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), and having filed its application with respect thereto;

IT IS HEREBY ORDERED that:

1. The application of the United States to intervene as against Intertex Apparel, Ltd., is granted.
2. The Complaint of the relator Calvin Chen is to be unsealed.
3. All other previously filed documents in the Court's file in this action are to remain under seal and not be made public, except for this Order and the government's Notice of Election to Intervene.
4. The following documents are to be publicly filed:
  - a. Complaint-In-Intervention of the United States;
  - b. Stipulation and Settlement among the United States and Intertex Apparel

Group, Ltd., Jack Setton, Marc Setton, and Vivek Bendre;

c. Stipulation and Settlement Between the United States and Ben's Clothing Inc. d/b/a Red Zone;

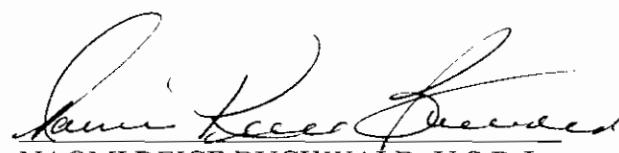
d. Stipulation and Settlement Between the United States and J.J. Basics, Inc.;  
and

e. Judgment.

5. The seal is to be lifted as to all other matters occurring hereafter in this action.

SO ORDERED.

Dated: New York, New York  
May 12, 2008



NAOMI REICE BUCHWALD, U.S.D.J.